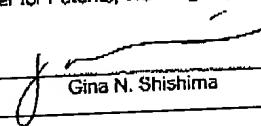


CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.

September 5, 2002
Date


Gina N. Shishima

PATENT

*please enter 1/9/03
Re*
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Edward T. H. Yeh

Serial No.: 09/484,964

Filed: January 18, 2000

For: COMPOSITION AND USES FOR A
NOVEL CELL-DEATH-PROTECTING
PROTEIN

Group Art Unit: 1632

Examiner: Beckerleg, A.

Atty. Dkt. No.: UTSH:248

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

Commissioner:

The Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed June 5, 2002, finally rejecting claims 73-75, 85-92, and 94-101.

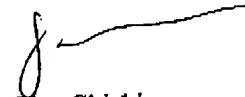
The fee for filing this Notice of Appeal is \$160 and is attached hereto.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed material, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/UTSH:248.

25203331.1

Please date stamp and return the enclosed postcard to evidence receipt of this document.

Respectfully submitted,



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Date: September 5, 2002